

# 106<sup>th</sup> TN General Assembly

## Second Regular Session



**Thursday, June 3, 2010**

Senate – 90<sup>th</sup> Legislative Day      House – 88<sup>th</sup> Legislative Day

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### SENATE

#### BILLS / RESOLUTIONS

- SR 0232 by \*Black**  
Memorials, Professional Achievement - Bath Fitter Tennessee, Inc., Recipient of the Governor's Award of Excellence for Workplace Safety -
- SJR 1286 by \*Finney L**  
Memorials, Sports - Huntingdon High School softball team, District 13A Championship -
- SJR 1287 by \*Finney L**  
Memorials, Death - Walter S. Hendrix, Jr. -
- SJR 1288 by \*Finney L**  
Memorials, Recognition - Business and Professional Women of Tennessee, Inc., 2010 State Convention -
- SJR 1289 by \*Finney L**  
Memorials, Death - Jack Moore -
- SJR 1290 by \*Henry**  
Memorials, Sports - Father Ryan High School, Rugby State Champions -
- SJR 1291 by \*Haynes**  
Memorials, Recognition - Gaëtan Ruest, Mayor of Amqui, Quebec, Canada -
- SJR 1292 by \*Crowe**  
Memorials, Death - Stuart Wood Jr. -
- SJR 1293 by \*Crowe**  
Memorials, Death - John G. Love, Sr. -
- SJR 1294 by \*McNally, Burchett, Henry**  
Memorials, Public Service - Richard V. Norment, David M. Walker Excellence in Government Performance and Accountability Award -
- SJR 1295 by \*McNally, Burchett, Henry**  
Memorials, Retirement - Ed Hennessee -
- SJR 1296 by \*Burchett, Woodson, McNally**  
Memorials, Death - Haywood Harris -
- SJR 1297 by \*Burchett**  
Memorials, Death - Bob Rush -
- SJR 1298 by \*Burchett**  
Memorials, Retirement - Patricia Evans -

(Senate Resolutions cont.)

**\*SJR 1299 by \*Burks**

Memorials, Government Officials - Encourages state departments and health care service providers to seek out programs and initiatives to ensure availability of cost effective health care services for elderly population in rural areas. -

**SJR 1300 by \*Stewart**

Memorials, Retirement - Marilyn McGee -

### **THIRD CONSIDERATION**

#### **Consent Calendar:**

SJR's 1264, 1265, 1266, 1267, 1269, 1270 – ADOPTED 33-0.

SJR's 1271, 1272, 1273, 1274, 1276, 1277 – ADOPTED 33-0.

SR 229 – ADOPTED 33-0.

HJR's 1253, 1356, 1357, 1358, 1360, 1361 – CONCURRED 33-0.

HJR's 1362, 1363, 1365, 1366, 1367, 1369 – CONCURRED 33-0.

#### **Consent Calendar #2:**

SB 2386 – s/c HB 2435 – PASSED 32-0.

SB 2483 - RE-REF to Calendar.

SB 2503 – s/c HB 2524 – PASSED 32-0.

SB 2516 – s/c HB 2480 – PASSED 32-0.

SB 2723 – s/c HB 2696 – PASSED 32-0.

SB 2854 – PASSED 32-0.

SB 2855 – s/c HB 2548 – PASSED 32-0.

SB 2856 – PASSED 32-0.

SB 3010 – s/c HB 2990 – PASSED 32-0.

SB 3218 – PASSED 32-0.

#### **Local Bill Consent:**

SB 3942 – s/c HB 3989 – PASSED 32-0.

SB 3943 – s/c HB 3981 – PASSED 32-0.

#### **Regular Calendar:**

SB 2665 – RE-REF to Calendar.

SB 2810 – RE-SET to 6/4/10.

SB 2811 – RE-REF to Calendar.

SB 3121 – RE-SET to 6/4/10.

SB 3345 – s/c HB 3471 – PASSED 31-0.

HB 2510 – Amd. #12 ad. – PASSED AS AMENDED 33-0.

HB 3149 – RE-SET to last calendar.

HB 3351 – Amd. #2 ad. – PASSED AS AMENDED 31-0.

SB 131 – RE-SET to 6/4/10.

SB 273 – s/c HB 381 – Amd. #1 ad. – RE-SET to last calendar.

SB 2472 – s/c HB 2454 – Amds. #1, 2 ad. – PASSED AS AMENDED 29-0.

HB 2781 – Amd. #2 ad. – PASSED AS AMENDED 33-0.

SJR 1182 – ADOPTED 33-0.

SJR 1183 – ADOPTED 33-0.

SJR 1197 – ADOPTED 31-0.

SB 3198 – s/c HB 3182 – Amds. #3, 4, 5 ad. – PASSED AS AMENDED 31-0.

SB 3536 – PASSED AS AMENDED 30-0.

SB 3851 – s/c HB 3812 – PASSED 30-1.

HB 2284 – PASSED 27-0.

SB 274 – Amds. #1, 2, 4 ad. – PASSED AS AMENDED 22-8.

SB 1220 – s/c HB 1196 – Amd. #2 ad. – PASSED AS AMENDED 20-11.

SB 2523 – Amd. #2 ad. – PASSED AS AMENDED 19-6.

(Senate Third Considerations – Regular Calendar cont.)

SB 2725 – RE-SET to 6/4/10.

SB 2785 – Amd. #3 ad. – PASSED AS AMENDED 32-0.

SB 3100 – RE-SET to 6/4/10.

SB 3290 – Amd. #1 ad. – PASSED AS AMENDED 31-1.

SB 3341 – s/c HB 3526 – PASSED 30-0.

SB 3591 – Amds. #6, 7 ad. – PASSED AS AMENDED 31-0.

SB 3598 – s/c HB 3353 – PASSED 24-6.

SB 3626 – RE-SET to 6/4/10.

HJR 704 – CONCURRED 24-4.

HB 2813 – Amd. #6 ad. – PASSED AS AMENDED 32-0.

HB 2598 – PASSED AS AMENDED 23-7.

SB 2424 – RE-SET to 6/4/10.

HJR 30 – CONCURRED 29-1.

SB 3644 – s/c HB 3923 – Amds. # 1 to 3, 3 ad. – PASSED AS AMENDED 29-2.

SB 2033 – s/c HB 2187 – Amd. #3 ad. – PASSED AS AMENDED 32-0.

Regular Calendar #2:

SB 3901 – Amds. #14, 15, 16, 17 ad. – PASSED AS AMENDED 29-4.

SB 3880 – RE-REF to FW&M.

SB 3919 – Amd. #11 ad. – PASSED AS AMENDED 30-3.

SB 2616 – Amd. #1 ad. – PASSED AS AMENDED 31-1.

Regular Calendar #3:

SB 401 – s/c HB 1338 – Amd. #1 ad. – PASSED AS AMENDED 32-0.

SB 673 – RE-SET to 6/4/10.

SB 844 – s/c HB 919 – Amd. #3 ad. – PASSED AS AMENDED 33-0.

SB 1653 – Amd. #1 ad. – PASSED AS AMENDED 33-0.

SB 2041 – Amds. #1, 2 ad. – PASSED AS AMENDED 33-0.

SB 2407 – RE-SET to 6/4/10.

SB 2658 – Amd. #1 ad. – PASSED AS AMENDED 33-0.

SB 2684 – Amd. #1 ad. – PASSED AS AMENDED 33-0.

SB 3092 – Amd. #1 ad. – PASSED AS AMENDED 32-0.

SB 3125 – Amds. #1, 2 ad. – PASSED AS AMENDED 32-0.

SB 3268 – Amds. #1, 2, 3 ad. – PASSED AS AMENDED 30-1.

SB's 3271, 3354, 3427, 3480, 3502, 3551, 3650 – RE-SET to 6/4/10.

SB's 3665, 3667, 3668, 3673, 3847 – RE-SET to 6/4/10.

SB 3916 – Amd. #1 ad. – PASSED AS AMENDED 32-1.

SB 2474 – RE-SET to 6/4/10.

SB 3234 – s/c HB 3334 – PASSED 33-0.

SB 3875 – RE-SET to 6/4/10.

HJR's 472, 917 – RE-SET to 6/4/10.

SB 3917 – Amd. #1 ad. – PASSED AS AMENDED

Message Calendar:

SB 2943 – H Amd. #2 CONCURRED.

SB 3586 – RE-SET to last message calendar.

HB 219 – Conference Committee Report ADOPTED 31-0.

HB 2685 – Conference Committee Report ADOPTED 30-0.

HB 3136 – S refused to recede from S Amd. #3.

SJR 978 – H Amd. #1 CONCURRED.

Message Calendar #2:

SB 3034 – Conference Committee Report ADOPTED 17-14.

SB 2602 – Conference Committee Report ADOPTED 30-0.

## **COMMITTEE CALENDAR FOR FRIDAY, JUNE 4, 2010**

FINANCE, WAYS & MEANS – SHR #12 – 10:00 a.m. –

### **COMMITTEE REPORTS**

FINANCE, WAYS & MEANS – SHR #12

Rec. for pass., ref to Calendar – SB's 942, 2724, 2768, 2775, 2789, 2882, 3097, 3101, 3194, 3495, 2392.

Rec. for pass. if am., ref to Calendar – SB's 3917, 231, 2498, 2650, 2899, 3350, 2616.

Rec. for adopt. if am., ref to Calendar – SJR 682.

Rec. for concur., ref to Calendar – HJR 992.

Ref. to Gen. Sub. – SB's 530, 2406, 2547, 2618, 2716, 2772, 2919, 3027, 3391, 3456.

### **MESSAGE FROM THE GOVERNOR**

SB 3447 – SIGNED 5/26/10.

SB's 1552, 2804, 3164, 3267, 3806 – SIGNED 5/27/10.

SJR's 1169, 1170, 1171, 1172, 1173, 1174, 1175, 1176, 1177, 1178, 1179, 1180, 1181, 1184, 1185, 1186, 1187, 1188, 1189, 1190, 1191, 1193, 1195, 1196, 1199, 1200, 1201, 1202, 1203, 1204, 1205, 1206, 1207, 1208, 1209, 1210, 1211, 1212, 1213, 1214, 1215, 1216, 1217, 1218, 1236, 1255 – SIGNED 6/1/10.

SB 1678 – Returned without signature.

SB's 399, 1325, 1754, 2419, 2636, 2638, 2704, 3119, 3593 – SIGNED 6/2/10.

SJR's 764, 784 – SIGNED 6/2/10.

SB 966 – SIGNED 6/3/10.

## **SENATE CONVENES AT 1:00 P.M., FRIDAY, JUNE 4, 2010**

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## **H O U S E**

### **BILLS / RESOLUTIONS**

Received from Senate, held on House desk – SB's 3110, 333, 3415.

**HR 0425 by** \*Odom

Memorials, Recognition - "InfantSEE Week," June 6-12, 2010 -

**HR 0426 by** \*Eldridge, Coley, Cooper B, DeBerry J, DeBerry L, Jones U, White, Kernell, Lollar, McManus, Miller L, Richardson, Todd, Towns, Turner J, Camper

Memorials, Death - Walter S. Hendrix, Jr. -

**HR 0427 by** \*Hardaway, Coley, Cooper B, DeBerry J, DeBerry L, Jones U, White, Kernell, Lollar, McManus, Miller L, Richardson, Todd, Towns, Turner J, Camper

Memorials, Recognition - Nancy Wilson -

(House Resolutions cont.)

**HR 0428 by** \*Hardaway, Coley, Cooper B, DeBerry J, DeBerry L, Jones U, White, Kernell, Lollar, McManus, Miller L, Richardson, Todd, Towns, Turner J, Camper  
Memorials, Recognition - Diana Ross -

**HR 0429 by** \*Hardaway  
Memorials, Academic Achievement - Morgan Boyce, Memphis Academy of Health Sciences Middle School -

**HR 0430 by** \*Hardaway  
Memorials, Academic Achievement - Aimee Wright, Memphis Academy of Health Sciences Middle School -

**HR 0431 by** \*Hardaway  
Memorials, Academic Achievement - Joshua Higginbottom, Memphis Academy of Health Sciences Middle School -

**HR 0432 by** \*Hardaway  
Memorials, Academic Achievement - Kiara Chambers, Memphis Academy of Health Sciences Middle School -

**HR 0433 by** \*Hardaway  
Memorials, Academic Achievement - Robbie Lynn Williams, Memphis Academy of Health Sciences Middle School -

**HR 0434 by** \*Ford  
Memorials, Recognition - Harvey family -

**HR 0435 by** \*Lundberg  
Memorials, Retirement - SH1 (SW) Christopher Maurice Jones, U.S. Navy -

**HR 0436 by** \*Watson, Brooks K, Bell, Matlock  
Memorials, Retirement - Senator Dewayne Bunch -

**HR 0437 by** \*Hill  
Memorials, Interns - Karen Tankersley -

**HR 0438 by** \*Faulkner, Haynes, Tindell, Campfield, Niceley, Dunn, Armstrong, Brooks H  
Memorials, Death - Judith M. Idol -

**HR 0439 by** \*Eldridge  
Memorials, Death - Glen Barr -

**HR 0440 by** \*Eldridge  
Memorials, Recognition - Kelly Vrettos -

**HJR 1382 by** \*Odom  
Naming and Designating - "InfantSEE Week," June 6-12, 2010 -

**HJR 1383 by** \*Ramsey, McCord  
Memorials, Recognition - 100th anniversary of University of Tennessee Extension in Tennessee and their service to Blount County -

**HJR 1384 by** \*Harrison  
Memorials, Sports - Hancock County High School baseball team, Northeast Sectional champions -

**HJR 1385 by** \*Brown, Favors, Dean, Floyd, Cobb J, McCormick, Pitts  
Memorials, Recognition - 33rd Annual Tennessee Association of School Social Workers Conference -

**HJR 1386 by** \*Sontany, Jones S, Moore, Gilmore, Pruitt, Shaw, Turner M, Harwell, Odom, West, Stewart  
Memorials, Recognition - Commends Mayor Karl Dean, Metro Nashville government, and all public agencies, non-profit organizations, private businesses, and volunteers who participated in response to Nashville Flood. -

**HJR 1387 by** \*Matlock  
Memorials, Recognition - Sophia Graves -

**HJR 1388 by** \*Ferguson  
Memorials, Recognition - Piney Grove Baptist Church, 90th anniversary -

**HJR 1389 by** \*Maddox  
Memorials, Retirement - Julia Dunn Rich -

**HJR 1390 by** \*Carr  
Memorials, Retirement - Samuel Baker -

**HJR 1391 by** \*Litz  
Memorials, Recognition - Ridin' High, Incorporated -

(House Resolutions cont.)

**HJR 1392 by \*Borchert**

Memorials, Retirement - Police Chief Thomas A. Cooper -

**HJR 1393 by \*Casada**

Memorials, Sports - Independence High School track team, medals at state meet -

**HJR 1394 by \*Casada**

Memorials, Retirement - Representative Joe McCord -

### **THIRD CONSIDERATION**

#### **Consent Calendar:**

HR's 418, 419, 420, 421, 422, 423 – ADOPTED 93-1.

HJR's 1371, 1372, 1373 – ADOPTED 93-1.

SJR's 1061, 1073, 1219, 1220, 1221, 1222 – CONCURRED 93-1.

SJR's 1223, 1224, 1225, 1226, 1227, 1228, 1229, 1230 – HELD on desk.

SJR's 1231, 1232, 1233, 1235, 1237, 1238, 1239, 1240, 1241, 1242, – CONCURRED 93-1.

SJR's 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, – CONCURRED 93-1.

SJR's 1253, 1254, 1256, 1257, 1258, 1259, 1261, 1262, 1263, 1268, 1275 – CONCURRED 32-1.

#### **Consent Calendar #2:**

HB 3176 – PASSED 95-1.

HJR's 1318, 955 – ADOPTED 95-1.

SJR's 966, 869 – CONCURRED 95-1.

HR's 424, 425, 426, 427, 428 – ADOPTED 95-1.

HJR's 1377, 1378, 1379, 1380, 1381 – ADOPTED 95-1.

HJR's 1382, 1383, 1384, 1385, 1386, 1387 – ADOPTED 95-1.

#### **Consent Calendar #3:**

HJR 1288 – ADOPTED 93-1.

SJR 931 – CONCURRED 93-1.

HJR 1305 – ADOPTED 93-1.

HR's 429, 430, 431, 432, 433, 434, 435 – ADOPTED 93-1.

HR's 436 – RE-SET to next calendar.

HR's 437, 438, 439, 440 – ADOPTED 93-1.

HJR's 1388, 1389, 1390, 1391, 1392, 1393 – ADOPTED 93-1.

SJR's 1197, 1264, 1265, 1266, 1267, 1269, 1270, 1271, 1272, 1273 – CONCURRED 93-1.

SJR's 1274, 1276, 1277, 1279, 1282, 1283, 1284, 1290, 1292, 1293 – CONCURRED 93-1.

#### **Regular Calendar:**

HB 3998 – HELD on desk.

HR 415 – Amd. #1 ad. – PASSED AS AMENDED 95-0.

HJR 1364 – ADOPTED 92-0-1.

HJR 1359 – ADOPTED 95-0.

HB 3056 – s/c SB 3774 – Amds. #7, 8 ad. – FAILED 49-43; RE-REF to C&R.

HB 3504 – s/c SB 3333 – PASSED 96-0.

#### **Regular Calendar #2:**

HJR 851 – Amd. #1 ad. – ADOPTED AS AMENDED 95-1.

HB 3791 – s/c SB 3907 – PASSED 93-1.

HR 319 – ADOPTED 89-2-5.

HB 3063 – HELD on desk.

HB 499 – Amds. #2, 3, ad. – PASSED AS AMENDED 74-21-1.

HB 2645 – Amd. #1 ad. – PASSED AS AMENDED 95-0.

HB 2644 – Amd. #2 ad. – PASSED AS AMENDED 95-0.

HB 2989 – Amd. #1 ad. – PASSED AS AMENDED 94-0.

HB 3499 – Amd. #1 ad. – PASSED AS AMENDED 95-0.

(House Third Considerations - Regular Calendar #2 cont.)

HB 2693 – PASSED 91-1.

HB's 830, 3114, 1302 – RE-SET to 6/4/10.

HR's 383, 397 – RE-SET to 6/4/10.

HB's 2474, 183, 2927, 2044, 3216, 3142, 2822, 3163 – RE-SET to 6/4/10.

HB's 3169, 1244, 3659, 2865, 3479, 3413, 3634, 2750, 2411 – RE-SET to 6/4/10.

Regular Calendar #3

HB's 3925, 3926, 3928 – RE-SET to 6/4/10.

Regular Calendar #4

HB 2556 – RE-SET to 6/4/10.

Regular Calendar #5

HB's 966, 2622, 3474, 3947, 3475, 1869, 1911, 2765, 3193, 3272 – RE-SET to 6/4/10.

HB's 3385, 3529, 3545, 3720, 2656, 2788, 3277, HJR 1368, HB's 814, 3200 – RE-SET to 6/4/10.

HB's 1987, 2625, 228, 2851, 3251, 3252, 3718, 3181, 3787, 3847 – RE-SET to 6/4/10.

HB's 2885, 3230, 3936, 3683, 3229, 2896, 3443, 2872, 2456, 2855 – RE-SET to 6/4/10.

Message Calendar:

HB's 209, 270, SB 440, HB 670 – RE-SET to 6/4/10.

HJR 1207, HB 2052, SB 2418, HB's 2452, 2455, 2462, 2471, 2592 – RE-SET to 6/4/10.

HB's 2594, 2600, 2602, 2605, 2606, 2610, 2611, 2613, 2614, 2618, 3608 – RE-SET to 6/4/10.

Message Calendar #2:

SB 3034, HB 3291, SB 3602 – RE-SET to 6/4/10.

Message Calendar #3:

HB's 1196, 2510, 2781, 3136, 3351 – RE-SET to 6/4/10.

**OTHER ACTION**

SJR 1291 – s/r CONCURRED 93-1.

SJR 1297 – s/r CONCURRED 96-0.

SJR 1298 – CONCURRED 96-0.

**COMMITTEE REPORTS**

CALENDAR & RULES – HHR #16 – 8:30 a.m. –

Reg. Cal. #2 – HJR 851, HB's 3791, 2411, 2989, 3499, 2693, 3114, 1302, HR's 383, 397, HB's 2474, 183, 2927, 2044, 3216, 3142, 2822, 3163, 3169, 1244, 2865, 3659, 3479, 3413, HR 319, HB 3634, 2750.

Reg. Cal. #3 – HB's 2622, 3474, 3947, 3475, 1869, 1911, 2765, 3193, 3272, 3385, 3063, 2644, 3545, 3720, 2656, 2788, 3277, HJR 1368, HB's 1987, 2625, 228, 2851, 3251, 3252, 3718, 3181, 3787, 814, 3200, 3230, 3936, 3683, 3229, 3247, 3634, 2750, 2896, 3443, 2872, 2456, 2855, 2885.

Con. Cal. #2 – HB 3176, HJR's 1318, 955, SJR 966

Con. Cal. – HJR 1288, SJR 931, HJR 1305

Budget Calendar 6/3 – HB's 3925, 3926, 3928, 3787, 2556.

Re-Ref. to FW&M – HJR 1368.

EDUCATION – HHR #16 –

Rec. for pass. if am., ref to FW&M – HB 3200.

(House committee reports cont.)

FINANCE, WAYS & MEANS – HHR #16 –

Rec. for pass., ref to C&R – HB's 2885, 2625, 1869, 3385, 3529, 2765, 3251, 3272, 2788, 2656, 3277, 3193

Rec. for pass. if am., ref to C&R – HB's 2851, 3720, 228, 3847, 3181, 3252, 3718, 1911, 1987, 814, 3200, 3787, 2556.

Rec. for adopt., ref to C&R – HJR 1288

Rec. for adopt if am., ref to C&R – HJR 1368.

Rec. for concur., ref to C&R – SJR 931

Taken off notice – HB's 3834, 3889

Action def. – HB 3796.

### **SUBCOMMITTEE REPORTS**

Budget – HHR #16 –

Rec. for pass. if am. – HB's 814, 3200.

Taken off notice – HB 3449.

### **MESSAGE FROM THE GOVERNOR**

HB's 3577, 3601, 3768 – SIGNED 5/27/10.

HJR's 759, 974, 1218, 1224, 1225, 1226, 1227, 1228, 1229, 1230, 1231, 1232, 1233, 1234, 1235, 1236, 1237, 1238, 1239, 1240, 1241, 1242, 1243, 1244, 1245, 1246, 1247, 1248, 1249, 1250, 1251, 1252, 1254, 1255, 1256, 1258, 1259, 1265, 1266, 1267, 1269, 1270, 1272, 1273, 1274, 1275, 1276, 1277, 1278, 1279, 1280, 1281, 1282, 1283, 1284, 1285, 1286, 1287, 1289, 1290, 1291, 1921, 1319 – SIGNED 5/27/10.

HJR's 708, 1047, 1074, 1078, 1161, 1222, 1293, 1294, 1295, 1296, 1297, 1298, 1300, 1301, 1302, 1303, 1304, 1306, 1307, 1308, 1309, 1310, 1311, 1312, 1313, 1314, 1315, 1316, 1317, 1320, 1321, 1322, 1323, 1324, 1325, 1326, 1327, 1328, 1329, 1330, 1331, 1332, 1342, 1343 – SIGNED 5/28/10.

HB's 2485, 2612, 2616, 2617, 2619, 2866, 2952, 3057, 3355, 3428, 3538 – SIGNED 6/2/10.

HJR's 769, 781, 786, 793, 796, 807, 843, 890, 1191, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1341, 1344, 1345, 1346, 1347, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1370, 1376 – SIGNED 6/2/10.

HB's 2719, 3259, 3404, 3997 – SIGNED 6/3/10.

HJR's 744, 959 – SIGNED 6/3/10.

**HOUSE CONVENES AT 10:00 A.M., FRIDAY, JUNE 4, 2010**